

Docket No. 271283US0PCT

IN RE APPLICATION OF: Seiichi KAWASHIMA, et al.

SERIAL NO: 10/532,245

FILED: April 22, 2005

FOR: HETEROCYCLIC COMPOUNDS AND ANTITUMOR DRUGS CONTAINING THE SAME AS THE ACTIVE INGREDIENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Terminal Disclaimer; Assignment/PTO-1595 (3 pages)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	22	MINUS	27	0	x \$50 =	\$0.00
INDEPENDENT	1	MINUS	3	0	x \$200 =	\$0.00
APPLICATION SIZE		MINUS	100	0 (each addtl. 50 sheets)	x \$250 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$360 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		TOTAL				\$0.00

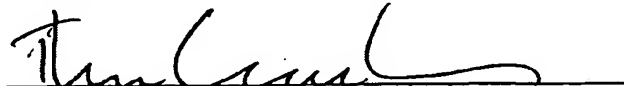
- ☐ A check in the amount of \$0.00 is attached.
- ☒ Credit card payment form is attached to cover the fees in the amount of \$170.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

08/16/2006 GFREY1 00000117 10532245

01 FC:1617

130.00 OP

OBLON, SPIVAK, McCLELLAND,
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Adjustment date: 12/13/2006 SDIRETA1
08/16/2006 GFREY1 00000117 10532245
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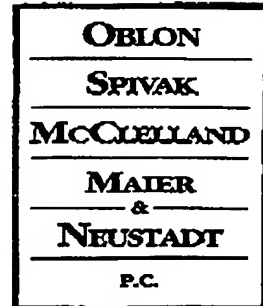
Document-codé: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 09/07/2006

PSTANBAC SALE #00000001 Mailroom Dt: 08/11/2006 150030 10532245
01 FC:1814 130.00 DA

Adjustment Date: 12/13/2006 SDIRETA1
09/07/2006 PSTANBAC 00000001 150030 10532245
01 FC:1814 130.00 CR

November 20, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE
2051 Jamieson Avenue
Suite 300
Alexandria, VA

ATTORNEYS AT LAW
KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM

Attn: Refund Department

Re: Deposit Account Number 150030

Dear Sir or Madame:

Enclosed is a copy of a portion of our Deposit Account Statement of September 2006. Please review the highlighted charge on Serial Number 10/532,245, in the amount of \$130.00 on fee code number 1814.

This charge appears to be in error as the Office inadvertently charged the fees for the Terminal Disclaimer under fee code 1617 on August 11, 2006. The Terminal Disclaimer filed in August included credit card authorization for \$170.00 which covered the fees for the Disclaimer as well as an Assignment. As the attached cover sheet shows, the Office charged the \$130 fee to code 1617 instead of the correct code 1814.

Please review this application and kindly refund \$130.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Scott Lohr

Docket No. 271283US0PCT



RESPONSE UNDER 37 CFR 1.116-
EXPEDITED PROCEDURE EXAMINING
GROUP 1624

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Seiichiro KAWASHIMA, et al.

SERIAL NO: 10/532,245

GAU: 1624

FILED: April 22, 2005

EXAMINER: V. Balasubramanian

FOR: HETEROCYCLIC COMPOUNDS AND ANTITUMOR DRUGS CONTAINING THE SAME AS THE
ACTIVE INGREDIENT

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Zenyaku Kogyo Kabushiki Kaisha is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, the Assignment is attached herewith.

Zenyaku Kogyo Kabushiki Kaisha hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 7,071,189, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 7,071,189, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Zenyaku Kogyo Kabushiki Kaisha does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 7,071,189 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

12/13/2006 SDIRETA1 00000001 10532245

01 FC:1814

130.00 DP

8/8/06

Date Signed

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
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